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J1062 U.S. PTO

JC971 U.S. PTO  
09/939921  
08/27/01

CERTIFICATE OF EXPRESS MAIL	
NUMBER	<b>EL521288515US</b>
DATE OF DEPOSIT	<u>8/27/01</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
 Signature	

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: 11916.0042.DVUS01

Prior Application Examiner:  
BORIN, M.

**BOX PATENT APPLICATION**  
Commissioner for Patents  
Washington, D.C. 20231

Classification Designation:  
**530-317.000**

Prior Group Art Unit: 1631

**REQUEST FOR FILING DIVISIONAL APPLICATION**  
**UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 09/354,493 filed July 16, 1999, entitled "CLARIFICATION OF A PROTEIN PRECIPITATE SUSPENSION USING ANIONIC POLYMERIC FLOCCULANTS."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 09/354,493 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such

willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a) ☒ The inventorship is the same as prior Application Serial No. 09/354,493.
- (b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c) ☐ Priority of provisional patent application number \_\_\_\_\_, filed in \_\_\_\_\_ is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:  
☐ is enclosed.  
☐ has been filed in the prior Application Serial No. \_\_\_\_\_.

- ☐ 2. The Commissioner is requested to grant Applicant a filing date in accordance with Rule 1.53, and supply Applicant with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).
- ☒ 3. The Commissioner is authorized to charge Deposit Account No. 01-2508/11916.0042.DVUS01 to cover the filing fees as calculated below. This amount is calculated after taking into consideration the amendments made in the preliminary amendment filed herewith. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**11916.0042.DVUS01**.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$710.00
Total Claims	17 - 20 =	0 X	\$18.00 =	0.00
Independent Claims	1 - 3 =	0 X	\$80.00 =	0.00
Multiple Dependent Claim(s) -----				\$-0-

FOR	NUMBER FILED	TOTAL FILING FEES: NUMBER EXTRA	RATE	\$710.00 FEE
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- ☐ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 6. Address all future communications to:
- Matthew L. Madsen  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400
- ☒ 7. The prior application is presently assigned to MONSANTO TECHNOLOGY LLC.
- ☒ 8. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in authorization at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.

9. ☐ Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
10. ☐ Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. \_\_\_\_\_ filed \_\_\_\_--.
11. ☒ Enclosed are formal drawings (submitted as part of the copy of the original application).
12. ☒ An Information Disclosure Statement (IDS) is enclosed.
13. ☐ Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. \_\_\_\_\_ filed \_\_\_\_\_, for use in this application. **Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. \_\_\_\_\_ filed \_\_\_\_\_. Under 37 C.F.R. § 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.**
14. ☐ Other: **NONE.**
15. ☒ Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,

*Matthew Madsen*

Matthew L. Madsen  
Reg. No. 45,594  
Agent for Assignee  
MONSANTO TECHNOLOGY LLC

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750 Bering Drive  
Houston, Texas 77057-2198  
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Date: August 27, 2001